

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

**TRAVELERS CASUALTY & SURETY
COMPANY,**

Plaintiff,

v.

**1:02-CV-463
(GLS-RFT)**

**CROW & SUTTON ASSOCIATES; PINE
VALLEY LANDSCAPE CORP.; FOXCROFT
NURSERIES, INC.; RUTH H. SUTTON; and
D. JAMES SUTTON,**

Defendants.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:

Becker, Becker Law Firm
21 Wilbur Street
Albany, NY 12202

LAWRENCE E. BECKER, ESQ.

FOR THE DEFENDANTS:

Office of Mark V. Connolly
111 Simsbury Road
Second Floor
Avon, CT 06001

MARK V. CONNOLLY, ESQ.

**Gary L. Sharpe
U.S. District Judge**

ORDER

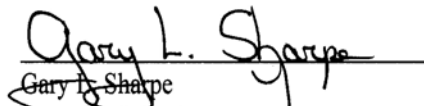
Based on the court's March 24, 2005 Decision and Order, *Dkt. No. 94*, and upon review of the parties' submissions, *Dkt. Nos. 98, 99*, Travelers is awarded the following amount, associated **solely** with its opposition to Defendants' Rule 60(b) motion: (1) attorney's fees of \$7,140.00, representing a total of 47.6 hours for the period December 10, 2004 to March 24, 2005,¹ at the submitted hourly rate of \$150.00; and (2) costs of \$816.57,² for a total of \$7,956.57.

WHEREFORE, it is hereby

ORDERED that Travelers is awarded \$7,956.57 in attorney's fees and costs.

IT IS SO ORDERED.

Dated: May 19, 2005
Albany, New York


Gary L. Sharpe
U.S. District Judge

¹Charges preceding this period (totaling 10.65 hours) have been excluded as they are associated with the appeal pending before the Second Circuit. An additional 1.8 hours (including a 0.3-hour segment from a block-billed charge for a letter to Rensselaer County on 12/14/04) have also been excluded from this period for the same reason.

²A \$10 Rensselaer County fee has been excluded from the costs.